

### **REMARKS**

In the November 15, 2006 Office Action, claim 2 is objected to as being of improper dependent form for failing to further limit the subject matter of a previous claim, claims 1 and 3 are rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. published patent application no. 2004/0244138 to Taylor et al., claims 1-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,548,511 to Bancroft in view of U.S. Patent No. 4,907,316 to Kurz, and claims 6 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bancroft in view of Kurz and further in view of The Admitted State of the Prior Art.

By the present amendment, independent claim 1 is amended, claim 2 is cancelled and new claim 10 is added. That leaves claims 1, and 3-10 pending in the application with claims 1 and 10 being independent.

The rejections over prior art are respectfully traversed. In summary, none of Taylor et al., Bancroft, Kurz, either alone or in combination, discloses, teaches, suggests, or renders obvious a robot cleaner with a control section that selectively operates a disinfecting section simultaneously with the dust vacuuming and collecting section and independently of the dust vacuuming and collecting section, as recited in the claimed invention. Each objection and rejection is addressed below.

### **Claim Objections**

Claim 2 is objected to for failing to further limit the subject matter of independent claim 1. Claim 2 has been cancelled. Independent claim 1 is amended to include similar subject matter as recited in claim 2, however, claim 1 positively recites structure, that is “a control section,” that selectively operates the disinfecting section simultaneously with the dust vacuuming and collecting and independently from the dust vacuuming and collecting

section. Because claim 1 recites a control section (that operates in a specific manner), structure is positively recited that distinguishes the prior art as discussed in more detail allowed. Therefore, the claim objection should be withdrawn.

### **Claim Rejections – 35 U.S.C. §102**

Claims 1 and 3 are rejected under 35 U.S.C. §102(a) as being anticipated by Taylor et al. Taylor et al is interpreted as disclosing a robot cleaner that includes motorized wheels 122 and 124, obstacle sensors 106 and 108, a sweeper 104, and a UV lamp, as seen in Figure 1a. However, Taylor et al fails to disclose a control section that either operates the disinfecting section simultaneously with the dust vacuuming and collecting section or operates the disinfecting section independently from the vacuuming and collecting section. Nothing disclosed in Taylor et al. teaches or suggests that the UV lamp 166 and dust collector 104 can be operated together simultaneously, or independently of one another, as required by the control section of the claimed invention.

Anticipation requires that every limitation of a claim must identically appear in a prior art reference. See *Gechter v. Davidson*, 43 U.S.P.Q. 2d 1030, 1032 (Fed. Cir. 1997). It is clear that the limitation of a control section selectively operating the disinfecting section simultaneously with the dust vacuuming and collecting section and independently from the dust vacuuming and collecting section does not identically appear in Taylor et al. Absence from the prior art reference of any claimed element negates anticipation. See *Rowe v. Dror*, 42 U.S.P.Q.2d 1550, 1553 (Fed. Cir. 1997).

Accordingly, because the “control section” of the claimed invention is not identically found in Taylor et al. Applicants request reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b).

**Claims rejections 35 U.S.C. § 103**

Claims 1-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bancroft in view of Kurz. Bancroft is interpreted as disclosing a method for a self-running cleaning apparatus that includes wheels 20 and 22, motors 21 and 23, sensors 30 and 32 and a vacuum 18. Bancroft fails to disclose a disinfecting section. Kurz is cited for disclosing a cleaning device with a disinfecting section, and that it would have been obvious to provide the disinfecting section of Kurz in the device of Bancroft to allow for removal of biological contaminants.

A prima facie case of obviousness has not been established because neither Bancroft nor Kurz, alone or in combination, teaches or renders obvious all of the claim limitations of independent claim 1. In particular, even if Bancroft and Kurz could be combined, such combination fails to disclose a control section that selectively operates a disinfecting section simultaneously with a dust vacuuming and collecting section and independently from the dust vacuuming and collecting section. Instead, the combination of Bancroft and Kurz merely teaches using a disinfecting section with a vacuum cleaner, but fails to disclose a control section that can either simultaneously operate the disinfecting section with the dust vacuuming and collecting section or operate both sections independently from one another.

Therefore, all of the limitations of the claimed invention are not found in the prior art or any combination thereof. Therefore, Applicants request reconsideration and withdrawal of the rejection of claims 1-7 under 35 U.S.C. § 103(a).

Moreover, dependent claims 3-7 are also allowable for the same reason as discussed above. Additionally, those claims recite other features not found in the prior art.

Claims 8 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bancroft in view of Kurz and further in view of The Limited State of Prior Art. As outlined above with respect to independent claim 1, the combination of Bancroft in view Kurz fails to

disclose all of the claim limitations of independent claim 1. Accordingly, a prima facie case of obviousness has not been established with respect to its dependent claims 8 and 9. Moreover, the admitted prior art fails to cure the deficiencies of Bancroft and Kurz.

Therefore, Applicants request reconsideration and withdrawal of the rejection of claims 8 and 9 under 35 U.S.C. § 103(a).